

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HAO ZHE WANG,

Plaintiff,

-against-

VERIZON COMMUNICATIONS INC., VERIZON
NEW ENGLAND INC., VERIZON SOURCING LLC;
and CELLCO PARTNERSHIP,

Defendants.

Case No. 1:19-CV-09506-JMF

**DEFENDANTS'
NOTICE OF MOTION TO
DISMISS PLAINTIFF'S
SECOND AMENDED COMPLAINT
PURSUANT TO FED. R. CIV. PRO.
R. 12(b)(6),**

Hon. Judge Jesse M. Furman, USDJ

TO: **HAO ZHE WANG**
Plaintiff *Pro Se*
PO BOX 7075
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PLEASE TAKE NOTICE, that upon the annexed Memorandum of Law of Defendants VERIZON COMMUNICATIONS INC., VERIZON NEW ENGLAND, INC., VERIZON SOURCING LLC, and CELLCO PARTNERSHIP (*hereinafter*, Defendants) dated January 27, 2021, the Declaration of Daniel Reed, dated January 25, 2021, together with all pleadings, prior motions, orders, proceedings and directives had herein, the Defendants, by their attorneys, McGivney Kluger Clark, & Intoccia, P.C., will move this Honorable Court, at the United States District Court for the Southern District of New York, located at 500 Pearl Street, New York, NY 10007, on such date as may be assigned, for an order:

- a. pursuant to Fed. R. Civ. Pro. R. 12(b)(6), dismissing the Plaintiff's Second Amended Complaint because it fails to state a claim against the Defendants upon which relief can be granted, and
- b. for such other and further relief that this Court deems just and proper under these circumstances.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Civil Rule 6.1(b), any opposing affidavits and answering memorandum shall be served within fourteen days of receipt of the within papers.

Dated: New York, NY
January 27, 2021

Respectfully submitted,

Dean L. Pillarella

Dean L. Pillarella, Esq. (5707724)

Howard A. Fried, Esq. (HAF2114)

**McGIVNEY, KLUGER, CLARK &
INTOCCIA, P.C.**

Attorneys for Defendants

VERIZON COMMUNICATIONS INC.,

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